



Baldwin Park Unified School District

P. O. Box 3699 • 3699 North Holly Avenue, Baldwin Park, California 91706 • (626) 962-3311 • Fax (626) 856-4934

May 30, 2006

Letter of Appeal
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Contact Person:
James Wickham, Director of Technology and
Educational Information Services
Phone: (626)856-4513 Fax: (626)856-4934
E-mail: jowickham@bpusd.net

Re: Request for Review of SLD Funding Commitment Decision for FRN 1301710, Reduction of costs associated with DMC Scheduler Servers, dated 03/29/2006.

Billed Entity Name: Baldwin Park Unified School
District
Billed Entity Number: 143572
Funding Year: 2005

471 Application Number: 466604
Funding Request Number: 1301710
Date of FCDL: 03/29/2006
CC Docket Nos. 96-45 & 02-6

This is request for review of the SLD's Funding Commitment Decision in the case of FRN 1301710. The commitment amount was "reduced to remove the costs associated with ineligible DMC Schedule Server and O/S". We are requesting reinstatement and full funding at the approved discount level of the DMC Scheduler Servers and all associated costs.

We believe the SLD's PIA team removed the Safari DMC Scheduler Servers and all associated costs in error. Under the section titled "Special Eligibility Conditions" of the Funding Year 2005 Eligible Services List on page 69, it is stated, "video components necessary to transport information all the way to individual classrooms or public areas of a library are eligible." It appears to us as though the PIA team made the incorrect assumption that the DMC Scheduler Servers provide an ineligible service, when in fact their sole function is to transport and control the flow of video data to the classroom. The Safari DMC Scheduler Server is functionally identical to the Safari eDireq Scheduler Server, which is listed in the SLD's Eligible Products Database on the SLD's website.

In each of our responses to PIA's requests for information regarding FRN 1301710, we clearly stated that the DMC Scheduler Servers function is to provide video transport and control only. We also stated that at no time would the PVBX be used to distribute any sort of broadcast or cable television.

Attached to this letter are copies of the PIA information requests and our responses (att. 1 & 2), Safari's description of the DMC Scheduler Server (att. 3), and a copy of the SLD's Eligible Products Database description of the Safari eDireq Scheduler Server (att. 4). Thank you for your time and attention to this matter. We look forward to hearing from you soon.

Sincerely,

James Wickham,
Director of Technology and Educational Information Services
Baldwin Park Unified School District

JW/kd

BOARD OF EDUCATION

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10/6/2005 12:27 PM EST To: James O Wickham @ 1-626-8564934 NSI FAX Page: 3-004



Universal Service Administrative Company

Schools & Libraries Division

Oct 06, 2005

James O Wickham
BALDWIN PARK UNIF SCHOOL DIST
Telephone:
Application Number

(626) 8564513
466604

The Program Integrity Assurance (PIA) team is in the process of reviewing all Form 471 Applications for schools and libraries discounts to ensure that they are in compliance with the rules of the federal universal service program. We are currently in the process of reviewing your Funding Year 2005 Form 471 Application. To complete our review, we need some additional information. The information needed to complete the review is listed below.

For FRN 1301710, please provide the following:

1. For the DMC Scheduler Servers and O/S, please indicate all costs associated with this item, including KVM's, UPS's, maintenance, installation materials and labor, training, shipping, and sales tax.
2. For the Safari Encoding Stations, since this system is capable of providing CATV programming to the classrooms, we will need percentage of use for CATV.
3. Are the weDireq Servers at the District Office functioning as Central Server for the weDireq system? If not, please explain in regards to streaming to the classrooms, and storage functions.

For FRN's 1301796, 1302526, 1302587, 1302635, 1302689, 1302735, 1302787, 1302857, 1302916, 1302962, 1302996, 1303033, 1303077, 1303121, 1303161, 1303192, 1303234, 1303293, and 1303350, please provide the following:

1. How do the weDireq servers at the individual schools function as they relate to streaming to the classroom, and storage functions?
2. Since this system has the ability to provide CATV programming to the classrooms, please provide the percentage of use for this purpose at the individual schools.

Please fax or e-mail the requested information to my attention. If you have any questions, please feel free to contact me.

AH 1

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It is important that we receive all of the information requested so we can complete our review. **Failure to do so may result in a reduction or denial of funding.**

Should you wish to cancel this application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the application number and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Please send the required information within seven calendar days. If you need additional time to prepare your response, please let me know as soon as possible.

Thank you for your cooperation and continued support of the Universal Service Program.

Brian Kickey
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-560-4481
FAX: 973-599-6513
Bkickey@sl.universalservice.org

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BKickey@sl.universalservice.org



Universal Service Administrative Company

Schools & Libraries Division

Oct 06, 2005

James O Wickham
BALDWIN PARK UNIF SCHOOL DIST
Telephone:
Application Number

(626) 8564513
466604

The Program Integrity Assurance (PIA) team is in the process of reviewing all Form 471 Applications for schools and libraries discounts to ensure that they are in compliance with the rules of the federal universal service program. We are currently in the process of reviewing your Funding Year 2005 Form 471 Application. To complete our review, we need some additional information. The information needed to complete the review is listed below.

For FRN 1301710, please provide the following:

1. For the DMC Scheduler Servers and O/S, please indicate all costs associated with this item, including KVM's, UPS's, maintenance, installation materials and labor, training, shipping, and sales tax.

The SAFARI DMC (Pathways) Scheduler is functionally identical to the SAFARI Pathway Server. The purpose of the DMC Scheduler Server is to monitor, authenticate and control the flow of information to and from the classrooms. The Pathways Scheduler and Pathway software work together to control scheduling, distribution and selection of video conferencing or multimedia broadcast equipment.

Qty	Product or Service Description	Unit Cost	Extended Pre-discount Cost		Functional Category
			Recurring	Non-Recurring	
	District Office				
2	Safari DMC (Pathways) Server with system O/S	\$15,361.33		\$30,722.65	Voice/video over IP (VoIP) components (Data distribution)
1	Safari VGA Monitors, Keyboards, Mice, KVM for Servers	\$1,231.35		\$1,231.35	Voice/video over IP (VoIP) components (Data distribution)
1	Un-interruptible Power supplies (8 Minute operation)	\$1,350.00		\$1,350.00	Uninterruptible Power Supply / Battery Backup (Data protection)
1	Installation Materials	\$785.00		\$785.00	Cabling/connectors/Consumables
24	Installation Labor	\$125.00		\$3,000.00	Technical Services
1	Safari Basic Operation Training	\$2,167.50		\$2,167.50	Technical Services
1	Shipping	\$806.69		\$806.69	Shipping Charges (Miscellaneous)
1	Los Angeles County Sales Tax	\$2,812.34		\$2,812.34	Taxes, Surcharges, and Other Similar Charges (Miscellaneous)
	TOTAL:			\$42,875.53	

AH 1 -

2. For the Safari Encoding Stations, since this system is capable of providing CATV programming to the classrooms, we will need percentage of use for CATV.

The percentage of CATV viewing over the streaming system is 0% of total system usage.

The Encoder is for encoding video/audio content that is either owned or developed by BPUSD and will be stored on hard disk drives that have been already cost allocated.

3. Are the weDireq Servers at the District Office functioning as Central Server for the weDireq system? If not, please explain in regards to streaming to the classrooms, and storage functions.

Yes, the weDireq server functions as the central server for the weDireq system and provides for the flow of video information from the central server to the site based server.

For FRN's 1301796, 1302526, 1302587, 1302635, 1302689, 1302735, 1302787, 1302857, 1302916, 1302962, 1302996, 1303033, 1303077, 1303121, 1303161, 1303192, 1303234, 1303293, and 1303350, please provide the following:

1. How do the weDireq servers at the individual schools function as they relate to streaming to the classroom, and storage functions?

The individual school based servers work in conjunction with the central server to provide for the distribution of video information to the end points. All storage will be provided on drives that have been already cost allocated as Non-Eligible.

2. Since this system has the ability to provide CATV programming to the classrooms, please provide the percentage of use for this purpose at the individual schools.

The percentage of CATV viewing over the streaming system is 0% of total system usage.

Please fax or e-mail the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested so we can complete our review. **Failure to do so may result in a reduction or denial of funding.**

Should you wish to cancel this application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the application number and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Please send the required information within seven calendar days. If you need additional time to prepare your response, please let me know as soon as possible.

Att.

Thank you for your cooperation and continued support of the Universal Service Program.

Brian Kickey
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-560-4481
FAX: 973-599-6513
Bkickey@sl.universalservice.org

SAFARI Equipment	Eligible E-Rate List Item	Page #	Notes
DMC Scheduler Server - Tower Computer (includes Broadband Software license)	Communications Server and Operational Software, functions as a Master Control Unit (p27)	18	"The purpose of the DMC Scheduler is to monitor and control the flow of information to and from the classrooms. The Scheduler and Pathway software work together to control scheduling, distribution and selection of video conferencing or multimedia broadcast equipment."
Pathway Scheduler	Communications Server and Operational Software, functions as a Master Control Unit (p27)	18	"The purpose of the Pathway Scheduler is to monitor and control the flow of information to and from the classrooms. The Scheduler and Pathway software work together to control scheduling, distribution and selection of video conferencing or multimedia broadcast equipment."
SAFARI Pathway System	PV/BX	23	"The entire SAFARI Pathway System functions as a Private Video Branch Exchange, allowing video distribution and person-to-person video conference calls in the LAN and WAN environments."

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eDireq Scheduler Server

Product Information

Product Name	eDireq Scheduler Server
Manufacturer	SAFARI Technologies, Inc.
SKU or ID No.	AV XPCOMPUTER
Product Type	Network File Server
Cost Allocate	No
Description	The eDireq Scheduler Server houses the eDireq Scheduler software, which is used to control the distribution of multimedia content to multiple clients over the LAN.
Further Description	This server is NOT used to store content, but is a conduit for that information from the storage devices to the client workstations. Available on PC or Xserve platforms.
Approximate Price	Not provided

A# 4



Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2005: 07/01/2005 - 06/30/2006)

March 29, 2006

James O Wickham
BALDWIN PARK UNIF SCHOOL DIST
3699 HOLLY AVE
Baldwin Park, CA 91706-5327

Re: Form 471 Application Number: 466604
Funding Year 2005: 07/01/2005 - 06/30/2006
Billed Entity Number: 143572
Billed Entity FCC RN: 000595503
Applicant's Form Identifier: BPUSDY8INT

Thank you for your Funding Year 2005 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$12,007,396.35 is "Approved."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service provider) or Form 472 (Billed Entity) - as products and services are being delivered and billed

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (FRNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,

- Applicant BEN and service provider SPIN,
- Form 471 Application Number as assigned by the SLD,
- "Funding Commitment Decision Letter for Funding Year 2005," AND
- The exact text or the decision that you are appealing.

3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by the SLD's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on our web site at www.sl.universalservice.org. Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
 Schools and Libraries Division
 Box 125 - Correspondence Unit
 80 South Jefferson Road
 Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use either the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that the Universal Service Administrative Company (USAC) and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
 Universal Service Administrative Company

A GUIDE TO THE FUNDING COMMITMENT REPORT

A report for each E-rate funding request from your application is attached to this letter. We are providing the following definitions for the items in that report.

FORM 471 APPLICATION NUMBER: The unique identifier assigned to a Form 471 application by the SLD.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471. This number is used to report to applicants and service providers the status of individual funding requests submitted on a Form 471.

FUNDING STATUS: Each FRN will have one of the following definitions:

1. An FRN that is "Funded" is approved at the level that the SLD determined is appropriate for this FRN. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
2. An FRN that is "Not Funded" is one for which no funds were committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision Explanation." An FRN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funding available for this Funding Year was insufficient to fund all requests.
3. An FRN that is "As Yet Unfunded" reflects a temporary status that is assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for Internal Connections at a particular discount level. For example, if your application included requests for discounts on both Telecommunications Services and Internal Connections, you might receive a letter with funding commitments for your Telecommunications Services funding requests and a message that your Internal Connection requests are "As Yet Unfunded." You would receive one or more subsequent letters regarding the funding decision on your Internal Connections requests.

CATEGORY OF SERVICE: The type of service ordered from the service provider, as shown on your Form 471.

FORM 470 APPLICATION NUMBER: The Form 470 Application Number associated with this FRN from Block 5, Item 12 of the Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on your Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

SERVICE START DATE: The Service Start Date for this FRN from Block 5, Item 19 of your Form 471.

CONTRACT EXPIRATION DATE: The Contract Expiration Date for this FRN from Block 5, Item 20b of your Form 471. This will be present only if a contract expiration date was provided on your Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a. This will be present only for "site specific" FRNs.

NUMBER OF MONTHS RECURRING SERVICE PROVIDED IN FUNDING YEAR: The number of months of service that has been approved in the funding year. This will be present only for recurring services.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE RECURRING CHARGES: Eligible monthly pre-discount amount approved for recurring charges multiplied by number of months of recurring service approved for the funding year.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE NON-RECURRING CHARGES: Annual eligible non-recurring charges approved for the funding year.

PRE-DISCOUNT AMOUNT: Amount in Form 471, Block 5, Item 23I, as determined through the application review process.

DISCOUNT PERCENTAGE APPROVED BY THE SLD: The discount rate that the SLD has approved for this service.

FUNDING COMMITMENT DECISION: This represents the total amount of funding that the SLD has reserved to reimburse your service provider for the approved discounts for this service for this funding year. It is important that you and your service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only for eligible, approved services actually rendered.

FUNDING COMMITMENT DECISION EXPLANATION: This entry provides an explanation of the amount in the "Funding Commitment Decision."

FCDL DATE: The date of this Funding Commitment Decision Letter (FCDL).

WAVE NUMBER: The wave number assigned to FCDLs issued on this date.

FUNDING COMMITMENT REPORT
Billed Entity Name: BALDWIN PARK UNIF SCHOOL DIST
BEN: 143572
Funding Year: 2005

Form 471 Application Number: 466604
Funding Request Number: 1301710
Funding Status: Funded
Category of Service: Internal Connections
Form 470 Application Number: 110830000
SPIN: 143024399
Service Provider Name: Pacific Image Connect, Inc.
Contract Number: n/a
Billing Account Number: n/a
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$123,594.44
Pre-discount Amount: \$123,594.44
Discount Percentage Approved by the SLD: 90%
Funding Commitment Decision: \$111,235.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The dollars requested were reduced to remove the costs associated with ineligible DMC Schedule server and O/S.

FCDL Date: 03/29/2006
Wave Number: 041

Funding Request Number: 1301796
Funding Status: Funded
Category of Service: Internal Connections
Form 470 Application Number: 110830000
SPIN: 143024399
Service Provider Name: Pacific Image Connect, Inc.
Contract Number: n/a
Billing Account Number: n/a
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 102955
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$125,812.14
Pre-discount Amount: \$125,812.14
Discount Percentage Approved by the SLD: 90%
Funding Commitment Decision: \$113,230.93 - FRN approved as submitted

FCDL Date: 03/29/2006
Wave Number: 041